

REMARKS

The Office Action and the cited and applied references have been carefully reviewed. No claim is allowed. Claims 2, 20-24, 38-40 and 42-48 presently appear in this application and define patentable subject matter warranting their allowance. Reconsideration and allowance are hereby respectfully solicited.

Claims 38-29 have been objected because the NF-κB components of the claim should be spelled out. This objection is obviated by the amendment to claim 38 to spell out the names of the components listed. It is believed that the indication of claim 29 as being objected to is an inadvertent error on the part of the office because claim 29 was previously cancelled.

Claims 2, 38-40, 42-43 and 47 have been rejected under 35 U.S.C. §102(a) as being anticipated by Stratton. This rejection is respectfully traversed.

The November 29, 1999, date relied on by the examiner for Stratton's sequence is the direct submission date to the EMBL/GenBank/DDBJ databases. However, this submission date is not the public release date of the sequence. As shown on the EMBL database, where Stratton's sequence was first submitted, the first public release date is June 3, 2000. See the EMBL-EBI database printout attached hereto for accession no. AJ250014, directly submitted November 29, 1999, with a public release date (DT) of June 3, 2000 (Rel. 63, Created). Accordingly, Israeli priority application IL134604, filed February 17, 2000, antedates the earliest public release date of June 3, 2000, for Stratton's sequence. As Stratton's sequence was not known

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or used by others in this country (Stratton's research facility is in the United Kingdom) or patented or described in a printed publication in this or a foreign country before the February 17, 2000, filing date of IL134604, Stratton is not available as prior art under 35 U.S.C. §102(a).

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

Claims 21-24 and 44-46 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Stratton. This rejection is also obviated by the showing above that Stratton is not available as prior art.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

In view of the above, the claims define patentable subject matter warranting their allowance. Favorable consideration and early allowance are earnestly urged.

Respectfully submitted,

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